

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

BID FOR POSITION, LLC,

Plaintiff,

v.

**AOL, LLC, GOOGLE, INC.,
MICROSOFT CORP., and MIVA, INC.,**

Defendants.

CASE NO. 2:07-cv-582 JBF/TEM

Jury Trial Demanded

**REPLY OF BID FOR POSITION, LLC
TO COUNTERCLAIMS OF MICROSOFT CORPORATION**

Plaintiff Bid for Position, LLC (“Bid For”) hereby answers the counterclaims of Defendant Microsoft Corporation (“Microsoft”). The paragraphs in this reply are numbered to correspond to the paragraph numbers in Microsoft’s counterclaims. All of the allegations of the counterclaims not specifically admitted herein are specifically denied.

COUNTERCLAIMS

NATURE OF THIS ACTION

1. Bid For denies the allegations contained in Paragraph 1 of Microsoft’s counterclaims, except to the extent that it admits that Microsoft brings a counterclaim.

PARTIES

2. Bid For admits the allegations in paragraph 2 of Microsoft’s counterclaims.
3. Bid For admits the allegations contained in paragraph 3 of Microsoft’s counterclaims.

JURISDICTION AND VENUE

4. Bid For denies the allegations contained in paragraph 4 of Microsoft's counterclaims, except to the extent that it admits that this court has jurisdiction over these counterclaims.

5. Bid For admits the allegations contained in paragraph 5 of Microsoft's counterclaims.

6. Bid For admits the allegations contained in paragraph 6 of Microsoft's counterclaims.

FACTUAL BACKGROUND

7. Bid For admits the allegations contained in paragraph 7 of Microsoft's counterclaims.

8. Bid For admits the allegations contained in paragraph 8 of Microsoft's counterclaims.

COUNT I

Declaratory Judgment of Noninfringement of U.S. Patent No. 7,225,151

9. Bid For repeats and incorporates by reference its responses to the facts and allegations in paragraphs 1 through 8 of its reply to Microsoft's counterclaims as if fully set forth herein.

10. Bid For denies the allegations contained in paragraph 10 of Microsoft's counterclaims.

COUNT II

Declaratory Judgment of Invalidity of U.S. Patent No. 7,225,151

11. Bid For repeats and incorporates by reference its responses to the facts and allegations in paragraphs 1 through 10 of its reply to Microsoft's counterclaims as if fully set forth herein.
12. Bid For denies the allegations contained in paragraph 12 of Microsoft's counterclaims.

DEMAND FOR JURY TRIAL

Bid For demands trial by jury of all issues so triable.

PRAYER FOR RELIEF

Plaintiff and Counterclaim Defendant Bid For denies that Microsoft is entitled to the relief it seeks or any relief for the allegations made in its Answer or Counterclaims. Plaintiff and Counterclaim Defendant Bid For requests that judgment be entered in its favor on all issues and it be awarded the appropriate damages, exceptional damages, costs, and attorneys' fees.

Dated: January 27, 2008

Respectfully submitted,

By: /s/
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ATTORNEYS FOR PLAINTIFF
BID FOR, INC.

CERTIFICATE OF SERVICE

I hereby certify that on January 27, 2008, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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